

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

TIMOTHY GARZA, an individual,
and on behalf of himself and all
other similarly situated individuals

Plaintiff,

v.

Case No: 2:21-cv-54-SPC-NPM

WASTE CONNECTIONS OF
FLORIDA, INC.,

Defendant.

ORDER¹

Before the Court is United States Magistrate Judge Nicholas P. Mizell's Report and Recommendation ("R&R"). ([Doc. 25](#)). Judge Mizell recommends granting the parties' Joint Motion for Approval of Settlement Agreement ([Doc. 23](#)) and approving their FLSA Settlement Agreement ([Doc. 23-1](#)). Neither party timely objected, so the matter is ripe.

A district judge "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); see also *Williams v. Wainwright*, 681 F.2d 732, 732 (11th Cir. 1982).

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

Without a specific objection, the judge need not review factual findings *de novo*. 28 U.S.C. § 636(b)(1); *see also Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). But the district court reviews legal conclusions *de novo*, even without an objection. *Cooper-Houston v. S. Ry.*, 37 F.3d 603, 604 (11th Cir. 1994).

After a careful, complete, and independent examination of the file, the Court accepts and adopts Judge Mizell's R&R in full.

Accordingly, it is now **ORDERED**:

1. The Report and Recommendation ([Doc. 25](#)) is **ACCEPTED** and **ADOPTED** and the findings incorporated herein.
2. The parties' Joint Motion for Approval of Settlement Agreement ([Doc. 23](#)) is **GRANTED** to the extent the parties seek approval of their FLSA Settlement Agreement ([Doc. 23-1](#)) and dismissal of this case.
3. This action is **DISMISSED with prejudice**.
4. The Clerk is **DIRECTED** to enter judgment, terminate any pending motions or deadlines, and close the case.

DONE and **ORDERED** in Fort Myers, Florida on July 28, 2021.



SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record